

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SHEILA LYONS, DVM
and HOMECOMING
FARM, INC.,

Plaintiffs

v.

ROBERT GILLETTE,
THE BOARD OF DIRECTORS
OF THE AMERICAN COLLEGE
OF VETERINARY SPORTS
MEDICINE AND
REHABILITATION, INC., and
THE AMERICAN VETERINARY
MEDICAL ASSOCIATION, INC.,

Defendants

CIVIL ACTION NO. 11-CV-12192-WGY

**MOTION TO STRIKE CERTAIN PARAGRAPHS AND EXHIBITS FROM
DEFENDANT'S COUNTERCLAIM PURSUANT TO Fed. R. Civ. P. 11 AND 12(f)**

Pursuant to Rules 11 and 12(f) of the Federal Rules of Civil Procedure, the plaintiffs hereby move to strike Paragraphs 24, 33, 34, 35, 39, 40, 44, 50, 54, 55, 56, 68, 75, 76 and exhibits C, D, E, H, I, K, L, and N of the defendant's counterclaim on the grounds that they are false, redundant, impertinent, immaterial, defamatory and scandalous and are based entirely upon exhibits which are not genuine, are obviously fabricated and inadmissible and have all been included in the defendant's counterclaim for an improper ends. In support thereof, the plaintiffs submit and incorporate by reference Exhibits A through G as well as the supporting memorandum of law filed simultaneously herewith.

WHEREFORE, the plaintiffs respectfully request that this Court enter an order striking Paragraphs 24, 33, 34, 35, 39, 40, 44, 50, 54, 55, 56, 68, 75. 76 and exhibits C, D, E, H, I, K, L, and N of the defendant's counterclaim.

Respectfully submitted,
The Plaintiffs,
By their attorneys,

Camille F. Sarrouf /s/

Camille F. Sarrouf (BBO #442440)
SARROUF LAW, LLP
115 Broad Street, 4TH Floor
Boston, MA 02110
Telephone: 617-227-5800
cfs@sarrouflaw.com

Stephen J. Lyons /s/

Stephen J. Lyons (BBO #309840)
KLIEMAN & LYONS
115 Broad Street, 4TH Floor
Boston, MA 02110
Telephone: 617-443-1000
sjlyons@kliemanlyons.com

Dated: September 17, 2012

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of September, 2012, the foregoing document was electronically filed and served upon all parties of record via the Case Management/Electronic Case Filing (CM/ECF) system.

/s/ Stephen J. Lyons

Stephen J. Lyons